

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAROL NOE,

Docket No.: 19-CV-1455

Plaintiff,

-against-

NOTICE OF MOTION

RAY REALTY, ZAVISA ZECEVIC, et al.

Defendants.

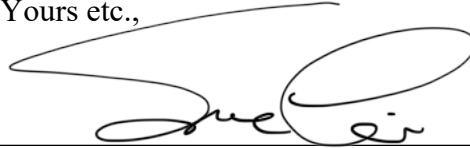
PLEASE TAKE NOTICE, that upon the annexed Declaration of Stephanie S. Lim, Esq. dated 19th day of April 2024, the Memorandum of Law dated 19th day of April 2024, the Affirmations of Labe Twerski dated the 19th day of April 2024, and Sam Becker dated the 19th day of April, 2024, and all of the pleadings and proceedings heretofore had herein, that the undersigned will move before this Court before the Honorable Jennifer H. Rearden at the courthouse located at 500 Pearl Street, New York, New York, on a date and time to be determined by the Court for an Order,

- a) Pursuant to F.R.C.P. §6(b) extending Defendants Labe Twerski, Sam Becker, 41-25 44th Street Owners Corp., and Daejan (N.Y.) Limited s/h/a Daejan NY Limited (collectively “Moving Defendants”) time to answer or otherwise respond to the Amended Complaint (ECF 95) and, upon granting of the extension,
- b) pursuant to F.R.C.P. §§ 12(b)(6), 8(a) and 9(b), dismissing the Plaintiff’s Amended Complaint in its entirety as against Moving Defendants in this action,
- c) together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that any papers in opposition to this motion shall be served in accordance with local Civil Rule 6.1(b).

Dated: April 19, 2024
Queens, New York

Yours etc.,



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Attorneys for Defendants

*Labe Twerski,
Sam Becker,
41-25 44th Street "Owners" Corp., and
Daejan NY Limited*

The application for an extension of time nunc pro tunc to respond to the operative complaint is GRANTED.

The moving Defendants are directed to refile their motion to dismiss and supporting papers as a separate docket entry.

The Clerk of Court is respectfully requested to terminate ECF 195.

Dated: April 19, 2024
New York, NY

SO ORDERED


ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE